

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

ENTERED ON DOCKET  
DATE 6-30-94

UNITED STATES OF AMERICA )

Plaintiff )

VS )

Case Number 94-CR-151-001-K ✓

CHARLES BOYKIN )

Defendant )

**F I L E D**

JUN 30 1997

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

**ORDER REVOKING SUPERVISED RELEASE**

Now on this 13rd day of June 1997, this cause comes on for sentencing concerning allegations that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed on May 03, 1997. The defendant is present in person and represented by counsel, Stephen J. Knorr. The Government is represented by Assistant U.S. Attorney Scott Woodward, and the United States Probation Office is represented by Larry Morris.


The defendant was heretofore convicted on his plea of guilty to a one-count Indictment charging him with Bank Burglary and Aiding & Abetting, in violation of 18 U.S.C. §§ 2113(a) and 2. On January 13, 1995, Boykin was committed to the custody of the U.S. Bureau of Prisons for a term of twenty-two (22) months to be followed by a three (3) year term of supervised release. In addition to the standard conditions of supervised release, he was also ordered to submit to a search conducted by a U.S. Probation Officer of his person, residence, vehicle, office and or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release, and participate in a vocational and or educational program, as directed by

the probation officer, until such program is completed or the defendant is released from the program by the probation officer.

On June 13, 1997, a revocation hearing was held regarding the allegations noted in the Petition on Supervised Release, filed on May 03, 1997, said allegations being that on January 05, 1997, Boykin was involved in a shooting in which he was subsequently charged with Shooting With Intent To Kill in Tulsa County District Court in case number CF-97-0544. While being detained on the above charge, Boykin committed an assault and battery on one of the detention officers which resulted in the charge of Assault And Battery Upon A Detention Officer, being filed in Tulsa County District Court in case number CF-97-1432. The defendant stipulated to the Magistrate Court's findings of probable cause and sentencing was set immediately.

On June 13, 1997, as a result of the sentencing hearing, the Court found that the violations occurred after November 1, 1987, and that Chapter 7 of the U. S. Sentencing Guidelines is applicable. Further, the Court found that the violations of supervised release constitute a Grade A violation in accordance with U.S.S.G. § 7B1.1(a)(3), and the defendant's criminal history category of III is applicable for determining the imprisonment range. In addition, the Court found that a Grade A violation and a criminal history category of III establish a revocation imprisonment range of eighteen (18) to twenty-four (24) months in accordance with U.S.S.G. § 7B1.4(a)(1) and 18 U.S.C. § 3583(e). In consideration of these findings and pursuant to U.S. vs. Lee, 757 2d 770 (10th Cir. 1992), in which the circuit determined that the policy statements in Chapter 7 were not mandatory, but must be considered by the Court, the following sentencing is ordered:

It is the judgment of the Court that the defendant, Charles Boykin, is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of twenty-four (24) months. It is further ordered that the original restitution order of \$7,240.00, with a current balance of \$6,290.00 will remain in effect. The court recommends that the defendant be placed at the Federal Correctional Center at El Reno.



The Honorable Terry C. Kern, Chief  
United States District Judge

**UNITED STATES DISTRICT COURT**  
**Northern District of Oklahoma**

**FILED**

APR 30 1996

UNITED STATES OF AMERICA

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

v.

Case Number 95-CR-159-001-B

GUSTAVO CEPEDA-ARZATE  
Defendant.ENTERED ON DOCKET  
APR 30 1996  
DATE \_\_\_\_\_

**JUDGMENT IN A CRIMINAL CASE**  
**(For Offenses Committed On or After November 1, 1987)**

The defendant, GUSTAVO CEPEDA-ARZATE, was represented by Charles Yon.

On motion of the United States the court has dismissed count(s) 1 and 2 of the Indictment.

The defendant pleaded guilty to count(s) 1 of the Information on January 19, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):


<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371 and 1952(a)(3)	Conspiracy to Travel Interstate to Facilitate a Narcotics Enterprise	11/28/95	1

As pronounced on April 26, 1996, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 30<sup>th</sup> day of April, 1995.

  
 The Honorable Thomas R. Brett, Chief  
 United States District Judge

United States District Court )  
 Northern District of Oklahoma ) SS

I hereby certify that the foregoing  
 is a true copy of the original on file  
 in this court.

Phil Lombardi, Clerk

By   
 Deputy

Defendant's SSN: 465-45-8760

Defendant's Date of Birth: 05/08/64

Defendant's mailing address: 7900 Viscount #449, El Paso, Texas 79925

Defendant's residence address: C/O Tulsa County Jail, 500 S. Denver, Tulsa, Oklahoma 74103

Defendant: GUSTAVO CEPEDA-ARZATE  
Case Number: 95-CR-159-001-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months.

The Court makes the following recommendations to the Bureau of Prisons:

1. The Court recommends to the Bureau of Prisons that the defendant be placed at a facility that can adequately address his substance abuse and provide treatment for such during service of this sentence.
2. The Court recommends to the Bureau of Prisons that the defendant be designated to FCI, La Tuna.

The defendant is remanded to the custody of the United States Marshal.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: GUSTAVO CEPEDA-ARZATE

Case Number: 95-CR-159-001-B

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
6. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

**STANDARD CONDITIONS OF SUPERVISION**

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: GUSTAVO CEPEDA-ARZATE  
Case Number: 95-CR-159-001-B

Judgment--Page 4 of 5

**FINE**

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 3,600 on count 1 of the Information. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: GUSTAVO CEPEDA-ARZATE  
Case Number: 95-CR-159-001-B

**STATEMENT OF REASONS**

The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	29
Criminal History Category:	II
Imprisonment Range:	60 months - Ct. 1 of Information
Supervised Release Range:	2 to 3 years - Ct. 1 of Information
Fine Range:	\$ 15,000 to \$ 150,000 - Ct. 1 of Information
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

*en*



UNITED STATES DISTRICT COURT **F I L E D**  
Northern District of Oklahoma

APR 30 1996

UNITED STATES OF AMERICA

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

v.

Case Number 95-CR-018-001-B

JOHN JACOB SCHULLER aka: James Moncrief, and John Akin  
Defendant.

ENTERED ON DOCKET  
APR 30 1996  
DATE \_\_\_\_\_

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)

The defendant, JOHN JACOB SCHULLER aka: James Moncrief, and John Akin, was represented Regina Stephenson.

On motion of the United States the court has dismissed count(s) 2 of the Indictment.

The defendant pleaded guilty to count(s) 1 of the Indictment on December 15, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

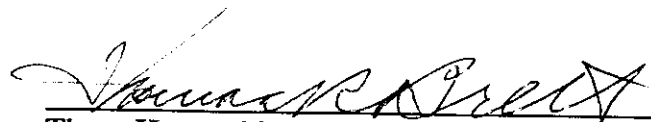
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 513(a)	Possession and Uttering of Counterfeit Securities	11/12/94	1

As pronounced on April 26, 1996, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 30 day of April, 1995.

  
The Honorable Thomas R. Brett, Chief  
United States District Judge

Defendant's SSN: 311-50-8447

Defendant's Date of Birth: 07/30/45

Defendant's residence and mailing address: Box 514, Granite, OK 73547

United States District Court ) SS  
Northern District of Oklahoma )  
I hereby certify that the foregoing  
is a true copy of the original on file  
in this court.

Phil Lombardi, Clerk

By 

Deputy

Defendant: JOHN JACOB SCHULLER aka: James Moncrief, and John Akin  
Case Number: 95-CR-018-001-B

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 24 months concurrently with Kay County District Court cases CRF 94-343 and CRF 94-346.

The Court makes the following recommendations to the Bureau of Prisons:

1. The Court recommends that the Bureau of Prisons designate the Oklahoma Department of Corrections as the place of service of this sentence, thereby making this sentence concurrent with the defendant's imprisonment pursuant to the judgment in Kay County, Oklahoma, District Court cases CRF 94-343 and CRF 94-346.

The defendant is remanded to the custody of the United States Marshal.

### RETURN

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: JOHN JACOB SCHULLER aka: James Moncrief, and John Akin  
Case Number: 95-CR-018-001-B

### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency. In addition to the search of the defendant's person, vehicle, residence, and business by the probation officer based on reasonable suspicion, the Court similarly orders any computer for which the defendant has access, either at his residence or business or on his person or in a vehicle, is similarly subject to search and seizure by the probation office based on reasonable suspicion of a violation of the law or conditions of his release.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

Defendant: JOHN JACOB SCHULLER aka: James Moncrief, and John Akin  
Case Number: 95-CR-018-001-B

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JOHN JACOB SCHULLER aka: James Moncrief, and John Akin  
Case Number: 95-CR-018-001-B

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution in the total amount of \$7,200.00.

The defendant shall make restitution to the following persons in the following amounts:

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
Galaxy Distributing 7813 East Admiral Place Tulsa, OK 74115	\$2,520
WD's Dominoes 111 N. Missouri Claremore, OK 74017	\$1,584
Payless Cashways 104 S. MacArthur Blvd. Oklahoma City, OK 73127	\$ 288
Egghead Software 5820 #B N. May Ave. Oklahoma City, OK 73008	\$ 144
David's Sport Center 6301 N.W. 10th Street Oklahoma City, OK 73127	\$2,664

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: JOHN JACOB SCHULLER aka: James Moncrief, and John Akin  
Case Number: 95-CR-018-001-B

### STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	9
Criminal History Category:	V
Imprisonment Range:	18 months to 24 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 1,000 to \$ 10,000
Restitution:	\$ 13,215.67

The fine is waived or is below the guideline range because of the defendant's inability to pay.

Full restitution is not ordered for the following reason(s): Defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

*[Handwritten signature]*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT COURT OF OKLAHOMA

**FILED**

APR 26 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA )  
Plaintiff, )  
 )  
vs. )  
 )  
DOROTHY MAE DOWLER )  
Defendant. )

Docket No. 89-CR-039-002-E

ORDER ON FINAL SENTENCE OF  
PROVISIONAL § 4244 REVOCATION  
AND TERMINATION OF PROBATION

ENTERED ON DOCKET

DATE APR 29 1996

Now on this 26th day of April 1996, this cause comes on for final sentencing and modification of the provisional sentence imposed pursuant to 18 USC § 4244. The defendant is present in person and with her attorney, Jack Short. The Government is represented by Assistant United States Attorney Kenneth P. Snoke, and the United States Probation Office is represented by Scott Kallenberger. On October 28, 1994, the defendant pleaded nolo contendere to the allegations of violation of probation as set out in the Superseding Petition on Probation filed on October 18, 1994. Evidence was presented, and the Court found that the defendant suffered from a mental disease or defect, and was in need of institutional care and treatment. The Court found the defendant in violation, revoked Counts Two and Three, and ordered her committed under the provisions of 18 USC § 4244 for a term of five years as to Counts Two and Three, said counts to run consecutively, each to the other. As to the remaining Counts Four through Eight, the Court ordered said counts to run inactive pursuant to 18 USC § 3564(b), and upon the defendant's release from custody in Counts Two and Three, the remaining Counts Four through Eight shall recommence with credit for time served.

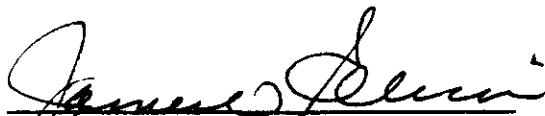
The Court has before it information presented by the Bureau of Prisons that the defendant's condition has stabilized by virtue of neuroleptic medication, and that she is no longer in need of custodial treatment and care and may be brought before the Court for final sentencing and modification of the sentence imposed. Moreover, the Court has been advised that the defendant's sister in Fort Worth, Texas, is prepared to assist her with residence and medication maintenance. The Government having no objection to modification of defendant's sentence and her release from confinement, the Court, pursuant to 18 USC § 4244(e), modifies the provisional terms imposed in Counts Two and Three, to wit:

It is the judgment and order of the Court that the defendant be immediately discharged and released with credit for time served from the provisional five year consecutive sentences imposed in Counts Two and Three.

It is further the judgment and order of the Court that in accordance with 18 USC § 3564(c) the probation terms previously imposed in Counts Four through Eight be terminated and the defendant is immediately discharged from supervision.

The defendant is ordered released from the custody of the U.S. Marshals Service and discharged from custody.

It is so ordered this 26<sup>th</sup> day of April 1996.

  
James O. Ellison  
United States District Judge



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**F I L E D**

APR 24 1996

United States of America,

Plaintiff

v.

Curtis L. Lawson

Defendant

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

Case No.: 91-CR-086-001-E

ENTERED ON DOCKET

DATE 4/25/96

ORDER EXTENDING AND MODIFYING CONDITIONS OF SUPERVISED RELEASE

Now on this 19th day of April, 1996, this cause comes on for sentencing after a previous finding that the defendant violated a condition of supervised release as set out in the Petition on Probation/Supervised Release filed December 5, 1995. The defendant is present in person and represents himself. The Government is represented by Assistant United States Attorney Ken Snoke, and the United States Probation Office is represented by Frank M. Coffman.

The Court finds that the defendant has violated condition #2 of his supervised release which states that: "You shall report to the Probation Office and submit a truthful and complete written report within the first five days of each month". Because of this violation, the defendant's term of supervised release is extended for a period of two years. The standard conditions of supervised release are imposed along with the following modifications:

1. The defendant shall submit to a search conducted by a United States Probation Officer of your person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of defendant.

United States District Court )  
Northern District of Oklahoma ) SS  
I hereby certify that the foregoing  
is a true copy of the original on file  
in this court.

Phil Lombardi, Clerk

By Brenda M. Lullough  
Deputy


or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. You shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition, and without having obtained written acknowledgement of an agreement to allow such searches from other residents. This acknowledgement shall be provided to the U.S. Probation Office prior to residency.

2. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order M-128, filed with the Clerk of the Court on March 18, 1992.

3. The defendant shall provide the U.S. Probation Office with detailed information regarding his employment activity and financial transactions. Specifically, you shall disclose the identity of any person or other entity for whom you perform a service, whether or not you are compensated for that service. You shall explain the purpose of any and all financial activity which you are involved in on behalf of yourself or others, regardless of whether or not you have any financial interest in said activity, and shall allow the U.S. Probation Office to examine any and all documents relating to that activity, to include, but not limited to, contracts, billing statements, invoices, judgements, receipts, letters, facsimile transmissions, and trust agreements.

4. The defendant shall provide the U.S. Probation Office with a signed original Federal and State Income Tax Return form, for any personal, business or corporate interest. The forms will include all appropriate schedules and attachments. The forms will be mailed to the Internal Revenue Service and Oklahoma State Tax Commission from the U.S. Probation Office. The defendant shall provide this information on or before April 15, for tax years 1996 and 1997. The defendant shall submit the same tax information for 1995. This tax information will be provided on or before June 1, 1996.

5. The defendant shall pay restitution in the amount of \$31,313.29, to Morton Comprehensive Health Trust as directed by the U.S. Probation Office

  
The Honorable James O. Ellison  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

APR 23 1996

UNITED STATES OF AMERICA,

Plaintiff,

v.

LONNIE D. VAUGHAN,

Defendant.

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

Case No. 95-CR-69-C

ENTERED ON DOCKET

DATE APR 24 1996

**FINAL ORDER OF FORFEITURE**

WHEREAS, on October 17, 1995, this Court entered a Preliminary Order of Forfeiture pursuant to the provisions of 21 U. S. C. § 853, based upon the Consent Decree for Forfeiture executed by the defendant, Lonnie D. Vaughan, and filed September 15, 1995.

AND WHEREAS, on December 29, 1995, and January 5 and 12, 1996, the United States published in the Tulsa Daily Commerce & Legal News, Tulsa, Oklahoma, a newspaper of general circulation, notice of this forfeiture and of the intent of the United States to dispose of the following-described currency according to law, and further notifying all third parties of their right to petition the Court within thirty (30) days after the date of last publication for a hearing to adjudicate the validity of their alleged legal interest in the property;

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed for the currency described in the Court's Preliminary Order of Forfeiture filed October 17, 1995.

IT IS, HEREBY ORDERED, ADJUDGED, AND DECREED by the Court  
as follows:

1. That all right, title, and interest to all of the hereinafter-described currency of the defendant, Lonnie D. Vaughan, is hereby condemned, forfeited, and vested in the United States of America, and shall be disposed of according to law.

2. That the following-described currency belonging to Lonnie D. Vaughan, who is the subject of this Order, is hereby condemned and forfeited to the United States of America:

1) \$20,000.00 In United  
States Currency, paid by  
cashier's check.

3. That any and all forfeited funds, including, but not limited to, currency, currency equivalents, and certificates of deposit, as well as any income derived as a result of the United States Marshals management of any property forfeited herein, and the proceeds from the sale of any forfeited property, after the payment of costs and expenses incurred in connection with the forfeiture, sale, and disposition of the forfeited property, shall be deposited forthwith by the United States Marshals Service into

the Department of Justice Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 853.

ENTERED this 23 day of April, 1996.

(Signed) H. Dale Cook

H. DALE COOK, Senior Judge  
United States District Court  
Northern District of Oklahoma

SUBMITTED BY:

*Catherine DePew Hart*  
for CATHERINE DEPEW HART  
Assistant United States Attorney

N:\UDD\CHOOK\FC\VAUGHAN1\05211

EOD 4-24-96 dw

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 95-CR-31-001-K

DANNY RAY EVANS  
Defendant.

**FILED**

APR 24 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)

The defendant, DANNY RAY EVANS, was represented by Rabon Martin.

The defendant was found guilty on count(s) 1 and 2 of the Superseding Indictment on October 31, 1995, after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21:846, 841(a)(1), (b)(1)(A)	Conspiracy to Possess With Intent to Distribute Cocaine and Cocaine Base	10/27/94	1
18:924(c)(1)	Carrying a Firearm in Relation to a Drug Trafficking Offense	06/21/94	2

As pronounced on April 12, 1996, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for count(s) 1 and 2 of the Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 23 day of April, 1996.

  
The Honorable Terry C. Kern  
United States District Judge

Defendant's SSN: 446-70-0456

Defendant's Date of Birth: 07/20/64

Defendant's residence and mailing address: 1504 Muse Street, Fort Worth, TX 76112

Defendant: DANNY RAY EVANS  
Case Number: 95-CR-31-001-K

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 295 months. This term consists of 235 months as to Ct. 1, and 60 months as to Ct 2 to be served consecutively to the term imposed in Ct. 1.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be incarcerated at FCI Fort Worth or FCI Seagoville or as near Dallas, Texas as possible.

The defendant is remanded to the custody of the United States Marshal.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: DANNY RAY EVANS

Case Number: 95-CR-31-001-K

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years as to Ct. 1, 3 years as to Ct. 2, said terms to run concurrently, each with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

**STANDARD CONDITIONS OF SUPERVISION**

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.



Defendant: DANNY RAY EVANS  
Case Number: 95-CR-31-001-K

**FINE**

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 5,000 as to Count One. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: DANNY RAY EVANS  
Case Number: 95-CR-31-001-K

**RESTITUTION AND FORFEITURE**

**FORFEITURE**

The defendant is ordered to forfeit the following property to the United States:

- (1) A 1991 Chevrolet truck VIN 2GBEC19K5M1234351.
- (2) \$13,965 in U. S. Currency.
- (3) Should the property in (1) and (2) not be obtainable, it is the intent to seek forfeiture of any other property of defendant up to the value of the forfeitable property in (1) and (2).

Defendant: DANNY RAY EVANS  
Case Number: 95-CR-31-001-K

### STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	38
Criminal History Category:	I
Imprisonment Range:	235 months to 293 months - Ct. 1 60 months Mandatory - Ct. 2
Supervised Release Range:	5 years - Ct. 1 2 to 3 years - Ct. 2
Fine Range:	\$ 25,000 to \$ 4,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reasons: All factors have been included in its application, the defendant faces a 60 month mandatory consecutive sentence in Ct. 2, and the defendant is a first time offender facing a harsh penalty for the conviction in Ct. 1.

EOD: 4-24-96

**UNITED STATES DISTRICT COURT**  
**Northern District of Oklahoma**

UNITED STATES OF AMERICA

v.

Case Number 95-CR-031-002-K

MONSON LEE DURHAM, JR. aka: Lee Durham, Jr.  
 Defendant.

**FILED**

APR 24 1996

**JUDGMENT IN A CRIMINAL CASE**  
**(For Offenses Committed On or After November 1, 1987)**

Phil Lombardi, Clerk  
 U.S. DISTRICT COURT

The defendant, MONSON LEE DURHAM, JR. aka: Lee Durham, Jr., was represented by Raymond Howard.

The defendant was found guilty on count(s) 1, and 3-6 of the Superseding Indictment on October 31, 1995 after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846, 841(a)(1), and 841(b)(1)(A)(iii)	Conspiracy to Possess With Intent to Distribute Cocaine and Cocaine Base	10/27/94	1
18 USC 1623 and	Perjury and Commission of Offense While on Release	06/14/95	3-6

As pronounced on April 10, 1996, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 250.00, for count(s) 1, and 3-6 of the Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 23 day of April, 1996.

  
 The Honorable Terry C. Kern  
 United States District Judge

Defendant's SSN: 453-51-8831

Defendant's Date of Birth: 08/05/68

Defendant's residence and mailing address: 3233 Magnum, #178, Houston, TX 77092

Defendant: MONSON LEE DURHAM, JR. aka: Lee Durham, Jr.  
Case Number: 95-CR-031-002-K

Judgment

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be for a term of 168 months, and 4 days. This term consists of: 168 months as to Count 1; 60 months as to of the 18 USC § 1623 violation contained in Counts 3 through 6, all counts to run concurrently, each with and concurrent to Count 1; and one day as to each count of the 18 USC § 3147 violation contained through 6, each day to run consecutively, each to the other, consecutive to the § 1623 violations also Counts 3 through 6, and consecutive to Count 1, for a total sentence of 168 months and 4 days.

The Court makes the following recommendations to the Bureau of Prisons: The defendant serve at the prison camp at Bastrop, Texas.

The defendant is remanded to the custody of the United States Marshal.

### RETURN

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_

1 copy of this Judgment.

\_\_\_\_\_  
Marshal

\_\_\_\_\_  
Marshal

Defendant: MONSON LEE DURHAM, JR. aka: Lee Durham, Jr.  
Case Number: 95-CR-031-002-K

### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

### **STANDARD CONDITIONS OF SUPERVISION**

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: MONSON LEE DURHAM, JR. aka: Lee Durham, Jr.  
Case Number: 95-CR-031-002-K

**FINE**

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 5,000.00 as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: MONSON LEE DURHAM, JR. aka: Lee Durham, Jr.  
Case Number: 95-CR-031-002-K

**STATEMENT OF REASONS**

The court adopts the factual findings and guideline application in the presentence report except: A 2 level safety valve reduction applies pursuant to USSG § 2D1.1(b)(4), and the Court awards a 3 level reduction for role in offense, pursuant to USSG § 3B1.2(a)(b), for a total offense level of 35 as opposed to 38.

**Guideline Range Determined by the Court:**

Total Offense Level:	35
Criminal History Category:	I
Imprisonment Range:	168 months to 210 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 20,000 to \$ 4,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s): Defendant's limited involvement, lack of criminal history, length of sentence, and all other factors have been considered in its application.



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

APR 22 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHNNY E. GLOVER,

Defendant.

No. 91-CR-50-C

ENTERED ON DOCKET

DATE APR 23 1996

**ORDER**

Currently pending before the Court is the motion filed by defendant, Johnny Glover, seeking reduction of his sentence pursuant to 18 U.S.C. § 3582(c)(2) and Sentencing Guideline § 1B1.10.

On May 9, 1991, a five Count indictment was filed against Glover and other co-defendants. On September 18, 1991, Glover pled guilty to Count One, organizing and managing a continuing criminal enterprise, devoted to the manufacture, possession, and distribution of methamphetamine, and using a telephone in furtherance of a controlled substance felony, in violation of 21 U.S.C. §§ 848(a)(c)(d), 846, 841(a)(1), 843(b), and 845(b) now 861. Glover also pled guilty to Count Three, conspiracy to launder money, in violation of 18 U.S.C. §§ 371 and 1956(a)(1). On December 10, 1991, Glover was sentenced to 150 months on Count One, and sixty months on Count Three, to run concurrently.

Pursuant to the Sentencing Guidelines in effect on the date of sentencing, Glover was assigned a total offense level of forty-two, with a criminal history category of III. In computing the total offense level, Glover was assigned a base offense level of four pursuant to § 2D1.5(a)(1), plus a base offense level of forty pursuant to § 2D1.1(c)(2), since 257 kilograms of methamphetamine were

involved in this case. Glover's total offense level was then adjusted by two points for acceptance of responsibility pursuant to §3E1.1.

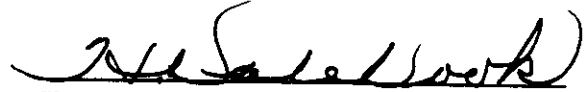
On November 1, 1995, § 2D1.1(c) of the Sentencing Guidelines was amended by Amendment 505, which reduced the base offense level applicable to Glover. The amended base level offense relating to 257 kilograms of methamphetamine under § 2D1.1(c) is now thirty-eight.

Based upon the amendment to § 2D1.1(c), Glover seeks to have his sentence reduced pursuant to § 1B1.10, which provides for the retroactivity of an amended guideline range. However, to qualify for such retroactive reduction of the guideline range, the amendment must be included in § 1B1.10(c). The Court recognizes that amendment 505 is an amendment covered by § 1B1.10, and therefore, the Court is authorized to reduce Glover's total offense level by two points. Thus, applying amendment 505 to the instant case results in a total offense level of forty. Glover's criminal history category remains unchanged at III.

However, application of § 1B1.10 is discretionary. See, U.S. v. Souders, 1994 WL 363539 (10th Cir.1994) (§ 1B1.10 merely affords the court the discretion to give effect to a retroactive amendment); U.S. v. Virta, 1996 WL 15614 (6th Cir.1996) (§ 1B1.10 commits sentence reductions to the discretion of the court). In the present case, the Court declines to modify Glover's total offense level. According to the Guidelines Sentencing Table, a total offense level of forty-two with a criminal history category of III provides for a term of imprisonment of 360 months to life. Likewise, a total offense level of forty with a criminal history category of III provides for a term of imprisonment of 360 months to life. Glover would therefore obtain no benefit from a two-point reduction in his total offense level. It would simply be nonsensical to apply the two-point reduction pursuant to § 1B.10 and resentence Glover to the same term of imprisonment.

Accordingly, Glover's motion for reduction of sentence is hereby DENIED.

IT IS SO ORDERED this 15<sup>th</sup> day of April, 1996.

A handwritten signature in black ink, appearing to read "H. Dale Cook", written over a horizontal line.

H. Dale Cook  
U.S. District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

APR 22 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

Jackie J. Donaldson,

Plaintiff,

vs.

Rederiet A. P. Moller, A/S,  
aka Maersk Drilling  
Defendant.

Case No. 93-C-1032-H

ENTERED ON DOCKET

DATE 4-23-96

ORDER

It appearing to the Court that the above-entitled action has been fully settled, adjusted, and compromised based upon the stipulation filed herein; Therefore,

IT IS ORDERED AND ADJUDGED that the above-entitled action be, and it is hereby, dismissed, without costs or attorney's fees to either party, and with prejudice.

Dated APR 22 1996 ~~1996~~.

S/ SVEN ERIK HOLMES

United States District Judge

ENTERED ON DOCKET  
DATE 4-23-96

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

APR 22 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

X CORP., formerly Benefit Concepts  
of Oklahoma, Inc.,

Plaintiff,

v.

AMERICAN STOCK EXCHANGE, INC.,

Defendant.

Case No. 96-C-013-H

**ORDER**

This matter comes before the Court on the motion to dismiss, stay, or transfer of Defendant American Stock Exchange, Inc. (the "Exchange").

In the first instance, the Exchange argues that the Court should dismiss or stay the instant lawsuit pending the resolution of a lawsuit filed in the United States District Court for the Southern District of New York by the Exchange between the same parties. The Exchange filed a declaratory judgment action in the Southern District of New York on October 31, 1995 against X Corp. and George F. Bashaw, principal of X Corp. requesting a declaration that it is has no liability to Defendants for the sum of \$142,777.00. Plaintiff filed this lawsuit on January 5, 1996 asserting claims sounding in breach of contract and breach of fiduciary duty seeking "an amount not less than One-Hundred & forty-Two Thousand, Seven Hundred and Seventy Seven Dollars (\$142,777.00)" as well as costs, attorneys fees, and pre and post judgment interest. Service of process in the New York action was not accomplished until January 19, 1996, some two weeks after Plaintiff's filing of the instant lawsuit.

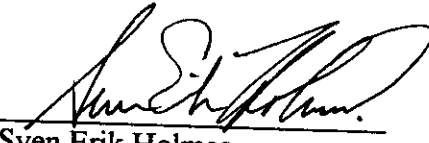
Defendant asserts that under the "first-to-file" rule, this suit should be dismissed or stayed. The general rule provides that, "when two courts have concurrent jurisdiction, the first court in which jurisdiction attaches has priority to consider the case." Hospah Coal Co. v. Chaco Energy Co., 673 F.2d 1161, 1164 (10th Cir.), cert. denied, 456 U.S. 1007 (1982). It is well settled that a

civil action is commenced by the filing of a complaint and that, therefore, jurisdiction over the parties attaches at the time of filing. Id.

Although Plaintiff concedes the existence of this doctrine, Plaintiff asserts that an equitable exception exists when the first filed lawsuit is a declaratory judgment action "filed in apparent anticipation of the other pending proceeding." Ven-Fuel, Inc. v. Department of the Treasury, 673 F.2d 1194, 1195 (11th Cir. 1982). In this regard, it is clear that this Court has the discretion to decline to apply the "first-to-file" rule. However, regardless of whether some measure of "procedural fencing" has occurred, both judicial economy and equitable considerations are served by application of the doctrine in the instant case.<sup>1</sup> Accordingly, the Court hereby dismisses this lawsuit. Defendant's motion (Docket # 7) is granted.

IT IS SO ORDERED.

This 22<sup>nd</sup> day of April, 1996.

  
Sven Erik Holmes  
United States District Judge

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<sup>1</sup> Here, the bulk of the negotiations occurred in telephone conversations with the Exchange, located in New York, or in meetings in New York. Almost no contacts with the State of Oklahoma, besides the location of the Plaintiff, are apparent from the face of the complaint and the parties' motion papers. One principal non-party witness, Robert Mills, the KPMG Peat Marwick partner who reviewed a proposed joint venture agreement between the parties, is located in New York. Another principal non-party witness, James Jones, is currently the United States Ambassador to Mexico and was formerly head of the Exchange. Further, New York law may apply to the parties' disputes by virtue of the draft joint venture agreement, which venture (that ultimately was never entered into) is the subject of both lawsuits.

DATE

7/22/94

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JUN 21 1994

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.


CURTIS L. LAWSON,

Defendant.

No. 91-CR-86-E

ORDER

The Court has for consideration Defendant's Motion for a New Trial. The Court has reviewed the Defendant's Motion for a New Trial in light of the record and applicable law. The Court finds that Defendant has offered no new evidence. Specifically, the Court finds no evidence that the government altered an exhibit presented at trial. The Court further finds no evidence that the government withheld evidence that had any bearing on Defendant's innocence. Therefore the Defendant's Motion for a New Trial is denied.

ORDERED this 21<sup>st</sup> day of June, 1994.  
JAMES O. ELLISON, Chief Judge  
UNITED STATES DISTRICT COURT

**UNITED STATES DISTRICT COURT**  
**Northern District of Oklahoma**

**FILED**

APR 15 1996

UNITED STATES OF AMERICA

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

v.

Case Number 95-CR-138-002-B

DON COURTOIS  
Defendant.ENTERED ON DOCKET  
APR 16 1996  
DATE \_\_\_\_\_

**JUDGMENT IN A CRIMINAL CASE**  
**(For Offenses Committed On or After November 1, 1987)**

The defendant, DON COURTOIS, was represented by W. Allen Vaughn.

On motion of the United States the court has dismissed count(s) 1 of the Indictment.

The defendant pleaded guilty to count(s) 2 of the Indictment on January 12, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

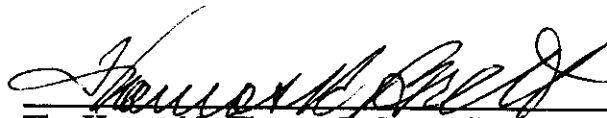
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1)	Possession With Intent to Distribute Heroin	11/11/95	2

As pronounced on April 11, 1996, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 2, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.


Signed this the 15 day of April, 1996.

  
 The Honorable Thomas R. Brett, Chief  
 United States District Judge

United States District Court )  
 Northern District of Oklahoma ) SS  
 I hereby certify that the foregoing  
 is a true copy of the original on file  
 in this court. Phil Lombardi, Clerk

Defendant's SSN: 384-50-8680

Defendant's Date of Birth: 09/26/51

Defendant's residence and mailing address: 6415 Wood Owl Circle, Bradenton, FL 34210 By  Deputy



Defendant: DON COURTOIS  
Case Number: 95-CR-138-002-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 70 months.

The Court makes the following recommendations to the Bureau of Prisons: Classification provisions permitting, the Court recommends that the Bureau of Prisons designate the Federal Prison Camp in Eglin, Florida as the place of service for this custody period. Should placement in this facility be unavailable, the Court recommends that the defendant be confined within the State of Florida. Also, at least one-half of his income from any source must be applied towards payment of the fine.

The defendant is remanded to the custody of the United States Marshal.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: DON COURTOIS  
Case Number: 95-CR-138-002-B

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: DON COURTOIS  
Case Number: 95-CR-138-002-B

**FINE**

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 3,000.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: DON COURTOIS  
Case Number: 95-CR-138-002-B

### STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	27
Criminal History Category:	I
Imprisonment Range:	70 months to 87 months
Supervised Release Range:	5 years
Fine Range:	\$ 12,500 to \$ 4,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

FILED

APR 15 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 95-CR-138-003-B

ALDABERTO HERNANDEZ-PEREZ  
Defendant.

ENTERED ON DOCKET  
APR 16 1996  
DATE

JUDGMENT IN A CRIMINAL CASE  
(For Offenses Committed On or After November 1, 1987)

The defendant, ALDABERTO HERNANDEZ-PEREZ, was represented by Curtis Biram.

On motion of the United States the court has dismissed count(s) 1 of the Indictment.

The defendant pleaded guilty to count(s) 1 of the Information on January 10, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

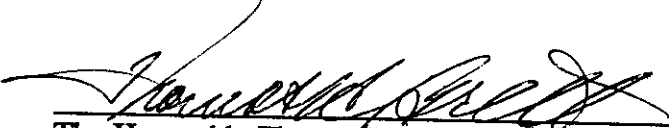
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 371 and 1952(a)(3)	Conspiracy to Travel Interstate to Facilitate a Narcotics Enterprise	11/11/95	1

As pronounced on April 11, 1996, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 15 day of April, 1996.

  
The Honorable Thomas R. Brett, Chief  
United States District Judge

United States District Court )  
Northern District of Oklahoma ) SS

I hereby certify that the foregoing  
is a true copy of the original on file  
in this court.

Phil Lombardi, Clerk

Deputy

Defendant's SSN: 600-64-7948

Defendant's Date of Birth: 03/11/62

Defendant's mailing address: C/O Tulsa County Jail, 600 Civic Center, Tulsa, OK 74103

Defendant's residence address: C/O Maria Costa, 333 W. Anza Dr., Nogales, Arizona 85621

Defendant: ALDABERTO HERNANDEZ-PEREZ  
Case Number: 95-CR-138-003-B

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 36 months.

In accordance with the provisions set forth in 18 U.S.C. § 3583(d), the Court orders that the defendant shall be subject to immediate deportation by the U.S. Immigration and Naturalization Service upon completion of the service of the custody term imposed in this case.

The Court makes the following recommendations to the Bureau of Prisons: Classification requirements permitting, the Court recommends the defendant be allowed to serve the incarceration portion of his sentence in a Federal Correctional Institution located within the State of Arizona.

The defendant is remanded to the custody of the United States Marshal.

### RETURN

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: ALDABERTO HERNANDEZ-PEREZ  
Case Number: 95-CR-138-003-B

### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall comply with the rules and regulations of the Immigration and Naturalization Service (INS), and if deported from this country, either voluntarily or involuntarily, he shall not illegally reenter the United States. Upon any reentry into the United States during the period of Court-ordered supervision, the defendant shall report to the nearest U.S. Probation Office within 72 hours.

### **STANDARD CONDITIONS OF SUPERVISION**

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify ~~third parties~~ of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: ALDABERTO HERNANDEZ-PEREZ  
Case Number: 95-CR-138-003-B

### STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	29
Criminal History Category:	I
Imprisonment Range:	60 months - Ct. 1
Supervised Release Range:	2 to 3 years - Ct. 1
Fine Range:	\$ 15,000 to \$ 150,000 - Ct. 1
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range: Upon motion of the government, as a result of defendant's substantial assistance, and the fact that the defendant has no prior criminal history or evidence of involvement in any drug trafficking activity.



~~FILED~~

**UNITED STATES DISTRICT COURT**  
**Northern District of Oklahoma**

APR 15 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 95-CR-138-001-B

**ALFREDO SALAZAR**  
 Defendant.

ENTERED ON DOCKET

DATE APR 16 1996

**JUDGMENT IN A CRIMINAL CASE**  
**(For Offenses Committed On or After November 1, 1987)**

The defendant, ALFREDO SALAZAR, was represented by Stephen K. Knorr.

On motion of the United States the court has dismissed count(s) 1 and 2 of the Indictment.

The defendant pleaded guilty to count(s) 1 of the Information on January 10, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1952(a)(3) and 18 USC 371	Conspiracy to Travel Interstate to Facilitate a Narcotics Enterprise	11/11/95	1

As pronounced on April 11, 1996, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 12 day of April, 1996.

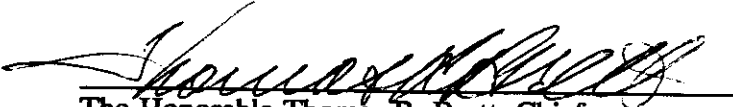
United States District Court )  
 Northern District of Oklahoma ) SS

I hereby certify that the foregoing  
 is a true copy of the original on file  
 in this court.

Phil Lombardi, Clerk

By

Deputy

  
 The Honorable Thomas R. Brett, Chief  
 United States District Judge

Defendant's SSN: 456-76-3117

Defendant's Date of Birth: 02/08/50

Defendant's residence and mailing address: C/O Tulsa County Jail (C/O U.S. Marshal's Service), 500 So. Denver,  
 Tulsa, OK 74103

Defendant: ALFREDO SALAZAR  
Case Number: 95-CR-138-001-B

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months.

The Court makes the following recommendations to the Bureau of Prisons: The Court recommends that the Bureau of Prisons designate a facility in Texas as the place of incarceration during this sentence. Furthermore, the Court recommends that the Bureau of Prisons designate a facility other than minimum security or a camp as the place of incarceration. The Court also recommends that the defendant be placed in a residential substance abuse treatment program as provided by the provisions of 18 USC §§ 3621(b) and (e). Finally, while in custody, no less than one-half of any and all income received by the defendant shall be paid toward the fine imposed in this case.

The defendant is remanded to the custody of the United States Marshal.

### RETURN

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: ALFREDO SALAZAR  
Case Number: 95-CR-138-001-B

Judgment--Page 3 of 5

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
6. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: ALFREDO SALAZAR  
Case Number: 95-CR-138-001-R

**FINE**

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 10,000.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: ALFREDO SALAZAR  
Case Number: 95-CR-138-001-B

### STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	31
Criminal History Category:	V
Imprisonment Range:	168 months to 210 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 15,000 to \$ 150,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reason(s): The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

*Handwritten signature*

**FILED**

**UNITED STATES DISTRICT COURT**  
**Northern District of Oklahoma**

APR 15 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 95-CR-46-003-B

STACY W. GOREE aka: Andre Davis and "Snake"  
 Defendant.

ENTERED ON DOCKET

DATE APR 16 1996

**JUDGMENT IN A CRIMINAL CASE**  
**(For Offenses Committed On or After November 1, 1987)**

The defendant, STACY W. GOREE aka: Andre Davis and "Snake", was represented by Art Fleak.

The defendant pleaded guilty to count(s) 1 of the Indictment on January 10, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):


<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846	Conspiracy to Distribute Controlled Substances	03/28/95	1

As pronounced on April 12, 1996, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

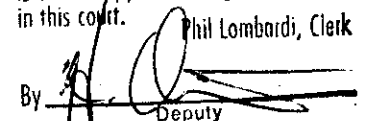
It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 15 day of April, 1996.

  
 The Honorable Thomas R. Brett, Chief  
 United States District Judge

United States District Court )  
 Northern District of Oklahoma ) SS  
 I hereby certify that the foregoing  
 is a true copy of the original on file  
 in this court.

Phil Lombardi, Clerk  
 By  Deputy

Defendant's SSN: 446-70-1391

Defendant's Date of Birth: 04/20/67

Defendant's residence and mailing address: 1510 Mews Drive #C, Kansas City, MO 64134

Defendant: STACY W. GOREE aka: Andre Davis and "Snake"  
Case Number: 95-CR-46-003-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 84 months.

The Court makes the following recommendations to the Bureau of Prisons:

1. The defendant be incarcerated at the FCI, El Reno, Oklahoma, comprehensive drug treatment program.
2. The defendant shall contribute 50 per cent of any income earned while incarcerated towards payment of the fine imposed.

The defendant is remanded to the custody of the United States Marshal.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: STACY W. GOREE aka: Andre Davis and "Snake"  
Case Number: 95-CR-46-003 B

### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

### **STANDARD CONDITIONS OF SUPERVISION**

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.



Defendant: STACY W. GOREE aka: Andre Davis and "Snake"  
Case Number: 95-CR-46-003-B

**FINE**

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 3,000.00 on Count 1.. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: STACY W. GOREE aka: Andre Davis and "Snake"  
Case Number: 95-CR-46-003-B

**STATEMENT OF REASONS**

The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	25
Criminal History Category:	IV
Imprisonment Range:	84 months to 105 months - Ct. 1
Supervised Release Range:	4 to 5 years - Ct. 1
Fine Range:	\$ 10,000 to \$ 2,000,000 - Ct. 1
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

24

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

FILED

APR 15 1996

UNITED STATES OF AMERICA

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

v.

Case Number 95-CR-003-001-B

DOUGLAS ALAN LEADER  
Defendant.

ENTERED ON DOCKET  
APR 16 1996  
DATE

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)

The defendant, DOUGLAS ALAN LEADER, was represented by Allen Smallwood.

On motion of the United States the court has dismissed count(s) 1,2, and 3 of the Superseding Indictment and the one-count Indictment.

The defendant pleaded guilty to count(s) 4 of the Superseding Indictment on January 12, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

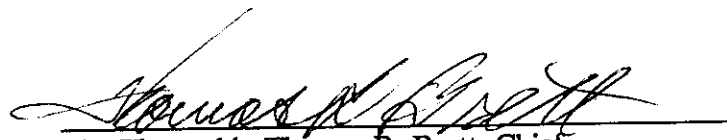
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1952	Interstate Travel in Aid of Unlawful Activity	12/94	4

As pronounced on April 11, 1996, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 4 of the Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.


Signed this the 15 day of April, 1996.

  
The Honorable Thomas R. Brett, Chief  
United States District Judge

Defendant's SSN: 444-62-0631

Defendant's Date of Birth: 04/01/57

Defendant's residence and mailing address: 1325 B Street, N.E., Miami, OK

United States District Court )  
Northern District of Oklahoma ) SS  
I hereby certify that the foregoing  
is a true copy of the original on file  
in this court.  
Phil Lombardi, Clerk  
By  Deputy

Defendant: DOUGLAS ALAN LEADER  
Case Number: 95-CR-003-001-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 18 months.

The Court makes the following recommendations to the Bureau of Prisons:

1. The Court recommends to the Bureau of Prisons that the defendant be placed at a facility that can adequately address his substance abuse and provide treatment for such during service of this sentence.
2. The Court recommends, should the defendant be deemed an acceptable candidate, that he be accepted into the Bureau of Prisons Shock Incarceration Program.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 11:00 a.m. on May 13, 1996.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: DOUGLAS ALAN LEADER

Case Number: 95-CR-003-001-B

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
6. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
7. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

**STANDARD CONDITIONS OF SUPERVISION**

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: DOUGLAS ALAN LEADER  
Case Number: 95-CR-003-001-B

**FINE**

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 3,600.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: DOUGLAS ALAN LEADER  
Case Number: 95-CR-003-001-B

**STATEMENT OF REASONS**

The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	21
Criminal History Category:	I
Imprisonment Range:	37 months to 46 months - Ct. 4
Supervised Release Range:	2 to 3 years - Ct. 4
Fine Range:	\$ 7,500 to \$ 75,000 - Ct. 4
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

# UNITED STATES DISTRICT COURT

## Northern District of Oklahoma

**FILED**  
**APR 8 1996**  
 Phil Lombardi, Clerk  
 U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 95-CR-140-001-H

VANESSA ADAMS  
 Defendant.

ENTERED ON DOCKET

DATE 4-12-96

### JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

The defendant, VANESSA ADAMS, was represented by Stephen Greubel.

On motion of the United States the court has dismissed count(s) 1 and 3 of the Indictment.

The defendant pleaded guilty to count(s) 2 of the Indictment on January 3, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):


<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 513(a)	Uttering a Forged Instrument	08/02/94	2

As pronounced on April 3, 1996, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 2 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 5<sup>TH</sup> day of APRIL, 1995.

  
 The Honorable Sven Erik Holmes  
 United States District Judge

Defendant's SSN: 443-64-9516

Defendant's Date of Birth: 08-05-61

Defendant's residence and mailing address: 1526 E. 19th St., Tulsa, OK 74120

United States District Court ) ss  
 Northern District of Oklahoma )  
 I hereby certify that the foregoing  
 is a true copy of the original on file  
 in this court. Phil Lombardi, Clerk

By Phil Lombardi  
 Deputy



Defendant: VANESSA ADAMS  
Case Number: 95-CR-140-001-H

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 12 months.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 10:00 a.m. on June 1, 1996.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: VANESSA ADAMS  
Case Number: 95-CR-140-001-H

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer. Further, the defendant shall be required to contribute to the cost of services for such treatment, not to exceed an amount determined reasonable by the U.S. Probation Officer, based on the ability to pay or available availability of third-party payment.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
6. The defendant shall, as directed by the probation officer, correspond with all credit reporting agencies and accurately report her conduct relative to Barbara Mulhall's credit accounts, for the purpose of restoring said victim's credit rating.
7. The defendant shall obtain the permission of the U.S. Probation Officer before accepting any employment.

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: VANESSA ADAMS  
Case Number: 95-CR-140-001-H

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution in the total amount of \$6,590.67 on Count 2.

The defendant shall make restitution to the following persons in the following amounts:

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
American Express 602 Sayer, Suite 440 Houston, TX 77007	\$1,416.12
First Deposit National Credit Card Bank P.O. Box 5249 Pleasanton, CA 94566	\$5,174.55

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: VANESSA ADAMS  
Case Number: 95-CR-140-001-H

**STATEMENT OF REASONS**

The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	10
Criminal History Category:	II
Imprisonment Range:	8 months to 14 months - Ct. 2
Supervised Release Range:	2 to 3 years - Ct. 2
Fine Range:	\$ 2,000 to \$ 20,000 - Ct. 2
Restitution:	\$ 6,590.67

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

**FILE**

APR 9 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 95-CR-095-001-BU

HECTOR IVARRA PADILLA  
Defendant.

ENTERED ON DOCKET

DATE 4-10-96

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)

The defendant, HECTOR IVARRA PADILLA, was represented by C. Rabon Martin.

The defendant pleaded guilty to count(s) 1 of the Indictment on March 14, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

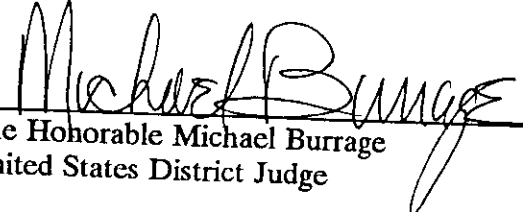
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 841(a)(1), (b)(1)(A)	Possession With Intent to Distribute Controlled Substances	06/07/95	1

As pronounced on April 3, 1996, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00 for Count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 9<sup>th</sup> day of April, 1996.

  
The Honorable Michael Burrage  
United States District Judge

United States District Court )  
Northern District of Oklahoma ) SS

I hereby certify that the foregoing  
is a true copy of the original on file  
in this court.

Phil Lombardi, Clerk

By   
Deputy

Defendant's SSN: 604-18-8826

Defendant's Date of Birth: 12/19/67

Defendant's residence and mailing address: 1947 East Marshall, Tulsa, OK

Defendant: HECTOR IVARRA PADILLA  
Case Number: 95-CR-095-001-BU

Judgment--Page 2 of .

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 72 months.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant serve his term at FCI, El Reno, Oklahoma, provided such placement meets all classification requirements.

The defendant is remanded to the custody of the United States Marshal.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
at Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: HECTOR IVARRA PADILLA  
Case Number: 95-CR-095-001-BU

Judgment--Page 3 of 4

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: HECTOR IVARRA PADILLA  
Case Number: 95-CR-095-001-BU

### STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	33
Criminal History Category:	I
Imprisonment Range:	135 months to 168 months - Ct. 1
Supervised Release Range:	5 years - Ct. 1
Fine Range:	\$ 17,500 to \$ 4,000,000 - Ct. 1
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reason(s): Pursuant to Fed. R. Crim. P. 11(e)(1)(c), an agreed upon sentence of 72 months.



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

APR - 8 1996

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHNNY E. GLOVER,

Defendant.

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

Case No. 89-CR-56-E


ENTERED ON DOCKET

DATE 4/9/96

**ORDER**

Now before the Court is the Motion under 18 U.S.C. §3582(c)(2) and Sentencing Guideline §1B1.10 For Reduction of Sentence Based on Guideline Amendment Effective November 1, 1995 Concerning Reduction of Upper Limit of Drug Quantity Table (Docket # 127) of the Defendant Johnny Eugene Glover. However, the Court notes that Glover's conviction was vacated in this matter on December 3, 1991. Therefore, the Motion for Reduction of Sentence is Denied as moot.

IT IS SO ORDERED THIS 8<sup>TH</sup> DAY OF APRIL, 1996.

  
JAMES O. ELLISON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT COURT OF OKLAHOMA

UNITED STATES OF AMERICA )  
Plaintiff, )  
 )  
vs. )  
 )  
ANGELA BUTLER )  
Defendant. )

ENTERED ON DOCKET  
APR 08 1996

DATE

Docket No. 95-CR-041-004-K

**FILED**

APR 05 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

ORDER ON MODIFICATION  
OF CONDITIONS OF PROBATION

Now on this 2nd day of April 1996, this cause comes on for a hearing on modification of conditions of probation based on defendant's inability to satisfy the court's order for home confinement with electronic monitoring. The defendant is present in person and with her attorney, Keith Ward. The Government is represented by Assistant United States Attorney John Russell, and the United States Probation Office is represented by Scott Kallenberger.

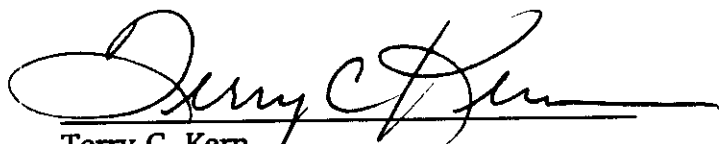
The defendant was on December 22, 1995, convicted after her plea of guilty in Count One that charged Mail Fraud and Causing a Criminal Act. Butler was sentenced to a three year probation term. The court imposed the standard conditions of probation and ordered special conditions to include special condition number three requiring that she be placed on six months home confinement with electronic monitoring.

Defendant advises the court that she is unable secure telephone service because of a \$1,500 past due telephone bill and therefore cannot satisfy the court's order for home confinement with electronic monitoring.

The Court finds based on evidence presented that the special conditions of probation should be modified. No other aspect of the court's original sentence shall be affected by this order, specifically, the defendant shall serve the balance of the three year term of probation, she shall pay a special monetary assessment of \$50 and restitution of \$6,811.17, and she shall abide by the standard and special conditions of probation.

Pursuant to 18 USC § 3563(c) it is adjudged by the Court that special condition of probation number three as originally imposed shall be vacated, and that the following special condition of probation is ordered:

The defendant shall reside for a period of 90 days, to commence by April 19, 1996, in the Oklahoma Halfway House, Oklahoma City, Oklahoma, and shall observe all the rules and conditions of that facility.



Terry C. Kern  
United States District Judge

14-1

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

APR 01 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RON JENSEN,

Defendants.

Case No. 86-CR-191-E ✓

ENTERED ON DOCKET  
APR 02 1996  
DATE \_\_\_\_\_

MOTION FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss the Original and Superseding Indictments against Ron Jensen, defendant.

Respectfully submitted,

STEPHEN C. LEWIS  
United States Attorney

FILED

APR - 2 1996

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

DAVID E. O'MBILIA  
Assistant United States Attorney  
3900 U.S. Courthouse  
333 West 4th Street  
Tulsa, Oklahoma 74103  
(918) 581-7463

ORDER

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the requested Original and Superseding Indictments, as pertains to Ron Jensen only.

Date: 4/3/96

James Allen  
United States District Judge